

IN THE UNITED STATES AND TRADEMARK OFFICE

Application No. <u>10/576,893</u>	Filing Date <u>04/24/2006</u>	Examiner <u>K.L. Thompson</u>	Group Art Unit <u>3672</u>
Applicant <u>Laurence J. Ayling</u>	Title <u>M&amp;A for Adding A Tubular to Drill String With Diverter</u>	Docket No. <u>593-PCT-US</u>	Customer Number <u>75253</u>

PETITION(S) and REMARKS

Commissioner for Patents

Sir:

This is in response to the Notice of Abandonment dated September 15, 2008 and Notice of Allowance and Fee(s) Due dated May 21, 2008 in the above identified application.

The Applicant is submitting a Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b) and Form PTOL-85 -- Part B -- Fees Transmittal for Issue Fee and Publication Fee along with all required fees.

The Applicant however wishes to petition the Director of the United Patent and Trademark Office (Director) under 37 CFR 1.182 or 37 CFR 1.183 to waive the requirement for payment of the petition fee covered by the Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37CFR 1.137(b). The Applicant is requesting that this Petition to the Director be under either 37 CFR 1.182 (Questions not specifically provided for.) or 37 CFR 1.183 (Suspension of rules.) The \$400.00 fee under 37 CFR 1.17(f) has been included with fees payments attached herein.

The basis for the Applicant's Petition to the Director is that the Applicant's representative did not receive the Notice of Allowance and Fee(s) Due and the Notice of Allowability forms in a timely manner. The Applicant has attached copies of Notice of Allowance and Notice of Allowability forms and all papers associated with the forms as well as the Applicant's response to an Office Action to the Applicant dated December 5, 2007.

Please note that the Notice of Allowance and Fee(s) and Fee(s) Transmittal forms sent to the Applicant had an incorrect address. The address used was:

Sardano Group, LLC  
2505 Anthem Village Drive  
Suite E-290  
Henderson, NV 89052

That was not the address of the Applicant's representative. I believe that Customer Number 76981 belongs to the Sardano Group, but rightfully the Electronic Business Center was unable to confirm the correctness of my belief. They did confirm that the correct Customer Number for Bartlett and Sherer is 75981. Attempts to reach the Sardano Group were fruitless. Please note that the Applicant's response to the Office Action dated January 28, 2008 included the correct address at the end of the Amendment and Remarks Letter. The Applicant's representative does concede that the on the Amendment Transmittal Letter and the Certificate of Mailing By First Class Mail had the incorrect Customer Number (76981). However please note as stated above that the Amendment and Remarks Letter had the correct Customer Number (75981).

It is the Applicant's opinion that when the person completing the Notice of Allowance and Fee(s) form had the incorrect address come up (Sardano) he or she did not verify a match between Customer Number address the correct address.

When I discovered the Notice of Abandonment on the Public Pair system in mid August, 2009, I contacted the Examiner and was advised that I should obtain a new Power of Attorney giving me authority to represent the client with the Office. Unfortunately, the Inventor has been traveling and unavailable to execute the new Power of Attorney. The undersigned received the new Power of Attorney (attached herein) on December 15, 2009 dated December 8, 2009.

The Applicant petitions the Director to revive the '893 application identified above and refund to the Applicant the Petition for Revival Fee as well as the Petition Fee for this petition to the Director.

The Applicant respectfully requests that Director grant the requests made above.

The Applicant respectfully requests that the Office issue this patent as soon as possible.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Gerow D. Brill', is written over a large, faint circular stamp or watermark.

Gerow D. Brill, Reg. Number 34554  
Counsel for the Applicant

Gerow D. Brill  
20 Oakmont Circle  
New Freedom, PA 17349  
December 16, 2009

Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.137(b) (Large Entity)

Docket No.  
593-PCT

In Re Application Of: LAURENCE JOHN AYLING

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/576,893	24 APRIL 2006	THOMSON, KENNETH L.	75253	3672	3409

Invention: METHOD AND APPARATUS FOR ADDING A TUBULAR TO DRILL STRING WITH DIVERTER

Attention: Office of Petitions  
**Mail Stop Petition**  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or  
action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the  
period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications  
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional

1. ☒ A proposed reply to the above-identified notice or action:

☒ is enclosed. ☐ was filed on \_\_\_\_\_

The proposed reply is in the form of: Notice of Allowance

2. ☒ The issue fee:

☒ is enclosed. ☐ was paid on \_\_\_\_\_

3. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

4. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

5. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

**Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.  
**593-PCT**

In Re Application Of: **LAURENCE JOHN AYLING**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/576,893	24 APRIL 2006	THOMSON, KENNETH L.	75253	3672	3489

Invention: **METHOD AND APPARATUS FOR ADDING A TUBULAR TO DRILL STRING WITH DIVERTER**

**Calculation and Payment of Fees**

Enclosed are the following fees:

6. <input checked="" type="checkbox"/> Petition fee under 37 CFR 1.17(m) in the amount of:	\$1,620.00
7. <input checked="" type="checkbox"/> Fee for reply in the amount of:	\$0.00
8. <input checked="" type="checkbox"/> Issue fee in the amount of:	\$1,810.00
9. <input type="checkbox"/> Continuing application filing fee in the amount of:	
10. <input type="checkbox"/> Terminal disclaimer fee in the amount of:	
11. <input checked="" type="checkbox"/> PETITION FEE FOR PETITION UNDER 37 CFR 1.17(f)	\$400.00
Total fees enclosed:	\$3,830.00

The fee of **\$3,830** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.  
**593-PCT**

In Re Application Of: **LAURENCE JOHN AYLING**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/576,893	24 APRIL 2006	THOMSON, KENNETH L.	75253	3672	3489

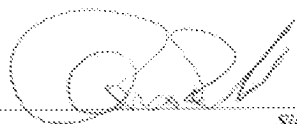
Invention: **METHOD AND APPARATUS FOR ADDING A TUBULAR TO DRILL STRING WITH DIVERTER**

**Statement**

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), Subsections (III)(C) and (D)).]

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioner/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



*Signature*

**GEROW D. BRILL  
BARTLETT AND SHERER  
20 OAKMONT CIRCLE  
NEW FREEDOM, PA 17349**

Dated: **DECEMBER 16, 2009**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37

*(Date)*

*Signature of Person Mailing Correspondence*

*Typed or Printed Name of Person Mailing Correspondence*

CC:

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 or **Fax** (571) 273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS. (Note: Use Block 1 for any change of address.)

Bartlett and Sherer  
 20 Oakmont Circle  
 New Freedom, PA 17349

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below:

(Depositor's name)  
 (Signature)  
 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/576,893	04/24/2008	LAURENCE JOHN AYLING	593-PCT	3499

TITLE OF INVENTION:

APPL. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	1810	300	1810	08/21/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
THOMPSON, KENNETH L.	3672	175-057000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☒ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent from page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, **RONALD B. SHERER**  
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 3 registered patent attorneys or agents. If no name is listed, no name will be printed. **GEROW D. BRILL**

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

COUPLER DEVELOPMENT LIMITED

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

DOUGLASS, ISLE OF MAN

Please check the appropriate assignee category or categories (will not be printed on the patent).

☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed.

- ☒ Issue Fee  
☒ Publication Fee (no small entity discount permitted)  
☐ Advance Order - # of Copies

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown in the records of the United States Patent and Trademark Office.

Authorized Signature

Date

DECEMBER 18, 2009

Typed or printed name

GEROW D. BRILL

Registration No.

34554

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 or **Fax** (571) 273-2885

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CURRENT CORRESPONDENCE ADDRESS: (Note: Use Block 1 for any change of address)

Bartlett and Sherer  
 28 Oakmont Circle  
 New Freedom, PA 17349

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(Depositor's name)  
 (Signature)  
 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/576,893	04/24/2008	LAURENCE JOHN AYLING	583-PCT	3408

TITLE OF INVENTION:

APPL. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	1510	300	1810	08/21/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
THOMPSON, KENNETH L.	3672	175-057000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

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☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47, Rev. 93-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, **1 RONALD B. SHERER**  
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. **2 GEROW D. BRILL**

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE **COUPLER DEVELOPMENT LIMITED**  
 (B) RESIDENCE (CITY AND STATE OR COUNTRY) **DOUGLASS, ISLE OF MAN**

Please check the appropriate assignee category or categories (will not be printed on the patent). ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed

- ☒ Issue Fee  
☒ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27 ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date **DECEMBER 18, 2009**

Typed or printed name

**GEROW D. BRILL**

Registration No.

**34554**

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# CHANGE OF CORRESPONDENCE ADDRESS Application

Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/576,893
Filing Date	04/24/2006
First Named Inventor	Laurence John Ayling
Art Unit	3672
Examiner Name	Thompson, Kenneth L.
Attorney Docket Number	593-PCT

Please change the Correspondence Address for the above-identified application to:



The address associated with  
Customer Number:

75253

OR



Firm or  
Individual Name

Law Office of Gerow D. Brill

Address

20 Oakmont Circle

City

New Freedom

State

PA

ZIP

17349

Country

United States

Telephone

717-235-1849

Email

gdbpatents@aol.com

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the:



Applicant/Inventor



Assignee of record of the entire interest.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).



Attorney or Agent of record. Registration Number 34554



Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number

Signature

Typed or Printed

Gerow D. Brill

Date

December 16, 2009

Telephone

717-235-1849

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.



\*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

POWER OF ATTORNEY

Docket No.

593-PCT-US

Name of Applicant: Laurence John Ayling  
Address of Applicant: Maywood Lodge  
Maywood Drive  
Camberley, Surrey GU15 1LH, GB

Title: METHOD AND APPARATUS FOR ADDING A TUBULAR TO DRILL STRING  
WITH DIVERTER

Serial No., if Any: 10/576,893  
Filed: 24 April 2006

TO THE COMMISSIONER FOR PATENTS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Honorable Sir:  
I hereby appoint:

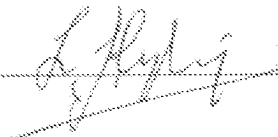
Gerow D. Brill Reg. Number 34554, 20 Oakmont Circle, New Freedom, PA

as principal attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all future correspondence to:

Law Office of Gerow D. Brill  
Gerow D. Brill  
20 Oakmont Circle  
New Freedom, PA 17349

By:



Dated:

8 December 2009



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22311-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/576,893	04/24/2008	Laurence John Ayling	593-PCT-US	3409
7590 09/15/2008 Sardano Group, LLC 2505 Anthem Village Drive Suite E-290 Henderson, NV 89052			EXAMINER THOMPSON, KENNETH L.	
			ART UNIT	PAPER NUMBER
			3872	
			MAIL DATE	DELIVERY MODE
			09/15/2008	PAPER

## Notice of Abandonment

This application is abandoned in view of:

- ☐ The applicant's failure to timely file a proper reply to the Office letter mailed on \_\_\_\_\_.
  - ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission date \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113(a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of:
    - a timely filed amendment which places the application in condition for allowance;
    - a timely filed Notice of Appeal (with appeal fee);
    - a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - ☐ A reply was received on \_\_\_\_\_, but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box e below).
  - ☐ No reply has been received.
- ☒ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission date \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
 The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_.  
 The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - ☒ The issue fee and publication fee, if applicable, has not been received.
- ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - ☐ No corrected drawing have been received.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below:

Petitions to revive under 37 CFR 1.137(a) or (b), or request to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Patent Publication Branch  
Office of Data Management



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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## NOTICE OF ALLOWANCE AND FEE(S) DUE

78981 7560 05/21/2008  
Sardano Group, LLC  
2505 Anthem Village Drive  
Suite E-290  
Henderson, NV 89052

EXAMINER	
THOMPSON, KEDDYNE L.	
ART UNIT	PAPER NUMBER

3672  
DATE MAILED: 05/21/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/576,893	04/24/2006	Lawrence John Ayling	593-PCT-US	3409

TITLE OF INVENTION: METHOD AND APPARATUS FOR ADDING A TUBULAR TO DRILL STRING WITH DIVERTER

APPL. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	08/21/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

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B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/576,893	04/24/2006	Laurence John Ayling	593-PCT-US	5409
70981 7090 11/21/2008 Sardano Group, LLC 2505 Anthem Village Drive Suite E-290 Henderson, NV 89052			EXAMINER THOMPSON, KENNETH L. ART UNIT 3572 PAPER NUMBER DATE MAILED: 05/21/2008	

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 164 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 164 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

**Notice of Allowability**

Application No.

10/575,893

Examiner

Kenneth Thompson

Applicant(s)

AYLING, LAURENCE JOHN

Art Unit

3672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 31 January 2008.
2. ☒ The allowed claim(s) is/are 59-84.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ Including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_
- (b) ☐ Including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|  | 9. <input type="checkbox"/> Other _____   |

/Kenneth Thompson/  
Primary Examiner, Art Unit 3672

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

**In the Claims:**

Claim 69, line 9 – replaced "annual" with - -annular- -.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Thompson whose telephone number is 571 272-7037. The examiner can normally be reached on 6:00 am - 2:30 pm.


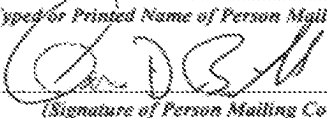
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David J. Bagnell can be reached on 571-272-6999. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

12 May 2008

/Kenneth Thompson/  
Primary Examiner, Art Unit 3672

cfw 3672

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)			Docket No.	
Applicant(s): Laurence John Ayling			593-PCT-US	
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit
10/576,893	04/24/2006	Kenneth L. Thompson	76981	3672
Invention: Method and Apparatus for adding a tubular to drill string with diverter				
				
I hereby certify that this <u>Amendment in response to Office Action dated 5 December 2007</u>				
(Identify type of correspondence)				
is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on				
<u>January 28, 2008</u>				
(Date)				
Gerow D. Brill				
(Typed or Printed Name of Person Mailing Correspondence)				
				
(Signature of Person Mailing Correspondence)				
Note: Each paper must have its own certificate of mailing.				
<div style="border: 1px solid black; height: 200px; width: 100%;"></div>				

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>				Docket No. 593-PCT-US	
Applicant(s): Laurence John Ayling					
Application No. 18/576,893	Filing Date 04/24/2006	Examiner Kenneth L. Thompson	Customer No. 76981	Group Art Unit 3672	Confirmation No. 3409
Inventor(s) Method and Apparatus for adding a tubular to drill string with diverter					
 <b>COMMISSIONER FOR PATENTS:</b>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	14	16	0	x \$50.00	\$0.00
INDEP. CLAIMS	3	3	0	x \$200.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>					
_____ <i>Signature</i>			Dated: January 28, 2008		
Bartlett & Sherer Gerow D. Brill, Reg. Number 34554 20 Oakmont Circle New Freedom, PA 17349			<div style="border: 1px solid black; padding: 5px;">         I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(e)] on          January 28, 2008          (Date)            Signature of Person Mailing Correspondence          Gerow D. Brill          Typed or Printed Name of Person Mailing Correspondence       </div>		
cc:					



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	Filing Date	Examiner	Group Art Unit
<u>10/576,893</u>	<u>04/24/2006</u>	<u>K.L.Thompson</u>	<u>3672</u>

Applicant	Title	Docket No.	Customer Number
<u>Laurence J. Ayling</u>	<u>M&amp;A for Adding</u> <u>A Tubular to a</u> <u>Drill String</u> <u>With Diverter</u>	<u>593-PCT-US</u>	<u>75981</u>

AMENDEMENT

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 29 January 2008.

Gerow D. Brill

Commissioner of Patents

Sir:

This is a response to the Office Action dated December 2008. Please amend the above-identified Application, as follows:

In order to expedite the prosecution, please cancel Claims 56 - 68, add new Claims 73-81. Claims 69 -72 remain unchanged.

LIST OF CLAIMS

Claims 1-68 (Cancelled)

Claims 69-72 (Previously entered)

Claim 73-81 (New)

69. (Previously entered) A valve assembly for use in continuously supplying drilling fluid from a tubular to a drill string comprising:

(a) a valve body having a first inlet passage adapted to be connected to a tubular, and an outlet passage adapted to be connected to a drill string;

(b) said valve body having a second inlet passage, said second inlet passage extending into said valve body at substantially a right angle with respect to that of said first inlet passage and said outlet passage;

(c) high pressure seal means surrounding said second inlet passage;

(d) annular fluid passage means within said seal for flowing drilling fluid from outside said seal into said second inlet passage;

(e) a two position valve positioned in said valve body such as to, in a first position permit flow from said tubular to said drill string while preventing flow from said second inlet passage, and in a second position preventing flow from said tubular to said drill string while permitting flow into said drill string from said second inlet passage; and

(f) actuator means for moving said two position valve to and from said first and second positions.

70. (Previously entered) The valve assembly of Claim 69 wherein said actuator means is positioned outside of said valve body.

71. (Previously entered) The valve assembly of Claim 69 wherein said actuator means is positioned within said valve body.

72. (Previously entered) The valve assembly of Claim 69 wherein said valve actuator means are responsive to the differential pressure in said first inlet passage versus the pressure in said second inlet passage.

73. (New) A method for continuously circulating a drilling fluid down a drill string while tubulars are added to said drill string comprising:

- (a) mounting a diverter sub containing a valve at the lower end of each of a plurality of tubulars to be joined to a drill string;

- (b) moving said valve to a first position which prevents the flow of drilling fluid from the tubular into the drill string while simultaneously allowing the flow of drilling fluid from outside the diverter sub into and down said drill string while joining a tubular to a drill string;

- (c) subsequently moving said valve to a second position preventing the flow of drilling fluid from outside the diverter sub while allowing the flow of drilling fluid from said tubular downwardly into said drill string after said joint has been made;

- (d) sealing the diverter sub against flow of drilling fluid from outside the diverter sub when said valve is not in said second position; and

- (e) continuing to rotate the drill string in a bore hole while adding tubulars, and continuing the circulation of drilling fluid down the drill string during such drilling.

74. (New) A diverter sub comprising in combination:

- (a) an inlet of a size and shape to be connected to a tubular and an outlet of a size and shape to be connected to a drill string;

(b) side port means in said diverter through which drilling fluid may flow into said sub;

(c) diverter valve means mounted within said sub for movement between first and second positions;

(d) said valve means being positioned in said sub for closing said side port means in said first position while allowing drilling fluid to flow from said tubular to and down said drill string, and a second position for preventing flow from said tubular to said drill string while allowing drilling fluid to flow through said side port means and down said drill string;

(e) sealing means surrounding said side port means, and passage means for flowing drilling fluid through said sealing means to and through said side port means; and

(f) said passage means include a flow passage extending at least partially circumferentially about the longitudinal axis of said diverter sub.

75. (New) The diverter sub of Claim 74 wherein said sealing means are of such construction, material and configuration such as to maintain a fluid-tight seal against drilling fluid pressures of at least 5,000 psi.

76. (New) The diverter sub as claimed in Claim 74 wherein said sealing means comprise first and second seal means, and wherein said first and second seal means are positioned above and below said side port means, respectively.

77. (New) The diverter sub as claimed in Claim 74 wherein said sealing means comprise:

(a) an annular seal member surrounding and engaging the external surface of said diverter sub, and;

(b) clamp means surrounding said seal means, and;

(c) means for forcing said clamp means against said seal member for forcing said annular seal member against said external force with a force sufficient to withstand drilling fluid pressures of at least 5,000 psi.

78. (New) The diverter sub as claimed in Claim 74 wherein said seal means surround said side port means and include an annular passage in fluid communication with said side port means, and inlet passage means in fluid communication with said annular passage means for supplying high pressure drilling fluid through said annular passage and said side port means into and down said drill string.

79. (New) The diverter sub as claimed in Claim 74 wherein said valve means include a pivot for pivoting said valve means between first and second positions, and wherein said valve means are positioned and are of such structural design as to be forced into said first and second positions by pressure differentials between the drilling fluid in said tubular versus that in said side port means.

80. (New) The diverter sub of Claim 74 including lever means for opening and closing said valve means, said lever means extending at an angle to the longitudinal axis of said diverter sub.

81. (New) The diverter sub of Claim 74 wherein said diverter sub is integral with one end of said tubular.

82. (New) The diverter sub of Claim 74 whwerein said valve means comprises two non-return valves one of which will allow drilling fluid to flow from said tubular to and down said drill string whilst the other will allow drilling flyuid to flow through a said side port means and down said string.

#### REMARKS

This is in response to the Office Action dated 5 December 2007. The Applicant wishes to thank the Examiner for the allowance of Claims 69-72. In addition, the Examiner stated that Claims 58-62, 64 and 68 are objected to as being dependent upon a rejected base claim. The Applicant is amending the Claims in order to overcome the Examiners objections and rejections. Since Claims 69-72 were allowed by the Examiner, they remain unchanged.

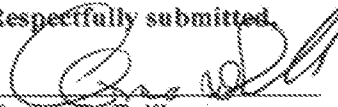
Claim 73 is a newly rewritten claim replacing cancelled Claims 66-68 and is written in response to the rejection of Claims 66-67 and the objected Claim 68.

Claims 74-81 are newly rewritten claims replacing cancelled Claims 56-65 and are written in response to the rejection of Claims 56,57, 63 and objected Claims 58-62 and 64.

Claim 82, a newly added claim, covers an embodiment in which two separate and distinct non-return valves are used rather than a single valve. There is a basis for this on page 11 lines 25 et seq. of the specification.

The Applicant respectfully requests an early allowance of Claims 69-83 now in the application.

Respectfully submitted,



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